

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

DAYS INNS WORLDWIDE, INC. a Delaware
Corporation, f/k/a DAYS INNS OF AMERICA, INC.

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

KRISHAN CORPORATION, a California
Corporation; and PANKAJ K. PATEL, an individual

07 CV 4753

JUDGE CASTEL

TO: (Name and address of defendant)

Pankaj K. Patel
2499 El Camino Real
Santa Clara, CA 95051

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Matthew W. Bauer, Esq.
Connell Foley LLP
85 Livingston Avenue
Roseland, NJ 07068

an answer to the complaint which is herewith served upon you, within _____ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

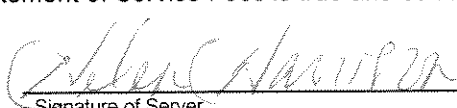

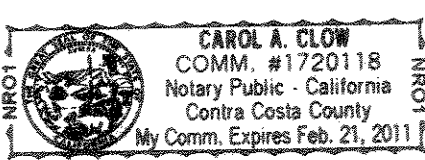
JUN 04 2007

CLERK

DATE

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action -SDNY WEB 4/99

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹		DATE 7/16/07 at 9:39 PM
NAME OF SERVER (PRINT) Helen L. Harrison		TITLE Registered Process Server
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____		
<input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <u>John Patel, brother of Pankaj K. Patel, at residence of 9585 Velvet Leaf Cir., San Ramon, CA</u>		
<input type="checkbox"/> Returned unexecuted: _____		
<input type="checkbox"/> Other (specify): _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>7-31-07</u> Date		 Signature of Server
State of California County of <u>Contra Costa</u> Subscribed and sworn to (or affirmed) Before me on this <u>31</u> day of <u>July</u> , 2007, by <u>Helen L. Harrison</u> personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.		Bender's Legal Service 1625 The Alameda # 511 San Jose, CA 95126 (408) 286-4182 Address of Server
Signature  (Seal)		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.